



LEVEL 1 - 20 OF 55 STORIES

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HEADLINE: Weeding Smokers Out of the Workplace

BYLINE: Bernadette Pruitt

DATELINE: Tulsa; OK; US

BODY:

Smoking could be a hazard to your career.

More Tulsa companies are going beyond smoking bans and giving hiring preference to non-smokers.

At Tempo Enterprises, a distributor for cable television programming, applicants who answer the smoking question affirmatively simply aren't interviewed.

United Video, a cable programming distributor going smoke-free June 1, poses the same question to applicants. To those who say yes, the company is inclined to say no.

The Tulsa Fire Department hires only non-smoking trainees.

Oral Robert University doesn't hire smokers.

"Being a smoker is becoming more and more of a disqualifier in management and executive positions," said Morey Villareal, president of Villareal and Associates, a management consulting firm.

Villareal, who helps companies evaluate and select people for positions, said companies are increasingly specifying a preference for non-smokers.

"Some are very direct about it, to the extent of putting it in ads," he said. "Much more often than not, companies state a definite preference for non-smokers."

Company smoking policies are becoming increasingly common and corporations want managers who create a good impression, he said.

"More and more among managers and executives, there's the view that smoking is negative," he said. "It's more than being a pollutant in the workplace. It reflects negatively on a person's intelligence and self-discipline. If you're an up-and-comer in an organization, being a smoker is not going to help."

The smoking question appears on applications at Tempo Enterprises.

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Applicants who smoke aren't interviewed, said Sarina Klaver, director of corporate communications, but none has complained.

"It has become a much more popular issue in recent years and as long as you're up front with people from the start, there are no problems."

The company's smoking ban has been in effect since 1983, when workers complained about sidestream smoke. The company's non-smoking management, concerned about higher medical bills, insurance costs, and absenteeism associated with smokers, ultimately banned smoking not only in the building but on the premises, she said.

A health-conscious management also engineered the June 1 smoking ban at United Video, said Becky Harris, a human resources employee. Harris, a smoker who is trying to quit, said "anybody who is in the position to hire has been notified not to hire smokers."

"We've kind of leaned toward those who don't smoke," said Suzanne Shepherd, director of administration and human resources. "With the smoking ban, it will be easier for people who don't smoke."

Since 1985, the Tulsa Fire Department has accepted only non-smoking trainees, administrative chief Ralph Brown said.

Would-be firemen must not have smoked in six months. If tests show evidence of nicotine, applicants are eliminated, he said.

They must also sign a pre-employment agreement not to smoke during the six-month probation period. Penalties for failure to comply range from a written reprimand to dismissal.

Brown said new firemen can smoke following probation.

"We hope that after that period of abstinence, they wouldn't," he said.

Long before any proclamations from the U.S. Surgeon General about the dangers of sidestream cigarette smoke, ORU was exclusively hiring non-smokers, said Gary Kuney, personnel director.

"It has more to do with our lifestyle," he said. "We ask people to pattern their lives after Jesus Christ."

If an applicant were a smoker, "we would probe the issue," he said.

"If someone had to smoke, they wouldn't fit into this environment."

While most organizations haven't gone as far as hiring only non-smokers, the list of area firms that ban or restrict smoking is growing, according to the American Lung Association of Green Country Oklahoma.

Smoking bans are legal, said Timothy Lowenberg, a Tacoma, Wash., labor attorney and nationally-known specialist in corporate clean-air policies.

Companies that refuse to hire smokers are also within their rights, he said.

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"The right to ban smoking is based upon common law doctrine that predates the turn of the century," he said. "Employers can control employees' activities during the work day."

If smokers and nervous personnel specialists think smoking bans smack of discrimination, they're right, Lowenberg said.

"Yes, it is discrimination, but it's like the policy stating you can't drink at work or use controlled substances. It's discrimination, but it's not unlawful."

The right of an individual to smoke in a public environment is superceded by the public's right to clean, healthy air, he said.

Lowenberg, general counsel for the Smoking Policy Institute, Seattle, Wash., said companies are "historically well within their rights" to reject applicants who smoke. But the recent pronouncement of U.S. Surgeon Gen. C. Everett Koop that nicotine is addictive could muddy those legal waters.

"Users might be able to claim handicapped status because of their addiction," he said. Discrimination against handicapped workers is illegal.

Lowenberg, who helped draft smoking bans at U.S. Public Health Service Indian Hospitals, including those in Oklahoma, predicted there will be court cases clarifying that issue.

In the meantime, employers who haven't instituted worksite smoking controls may be exposing themselves to significant liability.

"The greatest risk is for a company to do nothing to uphold the health and safety of its employees," he said.

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NAME: Timothy Lowenberg

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